

10 March 2003

Environmental Coordinator  
C/O Southern Service Center  
California Department of Parks & Recreation  
8885 Rio San Diego Drive Suite 270  
San Diego, CA 92108

Concerning Comment on the ABDSP Plan and EIR

Dear Sir or Madam:

159 [ My Comments are not late. I am filing under the extension granted by Acting  
Director Coleman at the request of CA Sen. Morrow.

[ The only choice, in my opinion, would be alternative five from the  
table on page 220, NO PROJECT.

160 [ There are already enough laws to protect the environment in place. "No  
Project" is the only choice that is in agreement with the California  
State Trail Plan, the National Trails Act and the National Preservation  
Act. "No Project" is compatible with responsible conservation and  
habitat management, while leaving access to this beautiful park to the  
public.

161 [ The public must have access to their park. To restrict places such as  
the Scissors Crossing area to day use is reprehensible. This was a working  
ranch. This is now the location of two through trails, the Pacific Crest Trail (PCT)  
and the Mormon Battalion Trail (MBT). Through riders and hikers must be able to  
camp in this beautiful location.

162 [ None of the options resolve the four trail closures that were addressed over four  
years ago by the Caballeros del Sol and Borrego BackCountry Horsemen units  
and by two members from San Diego Off Road Coalition, in meetings / letters, with  
both the ABDSP personnel and Sacramento.

163 [ In addition, there are also no provisions for California Riding Hiking Trail  
trailheads, essential to accessing and camping along the trail as indicated in the  
CRHT brochure from State Park Archives. This states " A system of overnight  
camps has been started: units are to be spaced 15-20 miles apart: with facilities  
consisting of stove, tables, water, sanitation and corral. It is the responsibility of  
the rider to provide fodder for his stock. In the 1955 legislative session, the  
Riding and Hiking Trails Act was amended to permit the establishment and the  
construction of secondary trails. These will provide better access to and greater  
local use of, the State Riding and Hiking Trails." In blatant disregard for these  
directives in 2001 the California Dept of Resources moved to repeal the Collier  
Keene Act in an attempt to diminish trail access and facilities.

164 [ Another point, the Great Overland Trail / Mormon Battalion Trail, (MBT)  
a Millennium Trail, and RS2477 route, is not adequately addressed in the plan. It  
is a major issue. This corridor is vital. It traverses the Vallecitos wash through 5

#165. Please see Response #92.

miles of the Impact area in Imperial County, (an old county road, to boot) where it intersects S2 and San Diego County parklands. BackCountry Horsemen have recently received approval for equestrian camping at the Vallecitos S.D County Park. A new State Parks purchase is contiguous to this county park. The State Parks purchased the land without a contingency for public access. This land-locks us from BLM's Portrero Valley (about 35 square miles) leaving no access for loop trails to and from the County campground at Vallecitos. Currently, cattle are grazing on these lands and there is a lot of water that will NOT be accessible for recreational stock use.

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From Vallecitos County Park the MBT continues to parallel S2 to Scissors Crossing where it intersects the Pacific Crest Trail and a major water source. A mile from the intersection, on the new park purchase, is the MBT site of the San Felipe old stage station. The MBT continues to parallel S2 and coincides (again) with the main CRHT where it departs from State Parks. The MBT is severed and rendered impassable by State Parks exclusion of equestrian trail users. Again, historic uses were cattle ranches, water sources and Stage Stations. The MBT connects BLM, CRHT, PTC, Pepperwood Trail, etc. and includes Carrizo, Vallecito, and San Felipe Stage Stations. The MBT needs to be open to equestrian use for its entire length. This is consistent with the CRHT history of connecting trails.

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In summary, the desert environment is well protected by existing law, and is not threatened by public recreation, but the options presented in the Plan do pose a significant threat to the public's access to and enjoyment of our Parklands. Again, "No Project" is the only choice that supports the California State Trail Plan, the National Trails Act and the National Preservation Act.

I suggest that you adopt alternative 5, "No Project", to preserve citizens ability to enjoy and appreciate Anza Borrego Desert State Park.

Thank you for considering my comments.  
Nola Michel, [trlrider@san.rr.com](mailto:trlrider@san.rr.com)  
4758 Mt. Cervin Dr., San Diego, CA 92117

Citizen and equestrian  
Co-President Caballeros del Sol Unit, BackCountry Horsemen of California

Cc: Acting Director DPR, Coleman  
Senator Morrow  
BCHC President, John Keyes and Public Lands Chair, Barbara Fergeson  
CETLC Chairman, Toby Horst

**The attachment was the letter from Citizens Against Recreational Eviction.**

**#166.** Please see Response #94. The California Public Resources Code, §5019.53, defines a “State Park” as a geographical area that consists “. . . of relatively spacious areas of outstanding scenic or natural character, oftentimes also containing significant historical, archaeological, ecological, geological, or other similar values.” It continues to state the purpose of state parks, which “. . . “shall be to preserve outstanding natural, scenic, and cultural values, indigenous aquatic and terrestrial fauna and flora, and the most significant examples of ecological regions of California, such as the Sierra Nevada, northeast volcanic, great valley, coastal strip, Klamath-Siskiyou Mountains, southwest mountains and valleys, redwoods, foothills and low coastal mountains, and desert and desert mountains. Each state park shall be managed as a composite whole in order to restore, protect, and maintain its native environmental complexes to the extent compatible with the primary purpose for which the Park was established. According to the California Department of Park & Recreation’s Resource Management Directives (RMD), “State Parks” is a term traditionally given to “all units of the State Park System (except for historical monuments) known before 1961.”

The Department of Parks & Recreation is directed to subscribe to California Public Resources Code, §5024. “Each state agency shall formulate policies to preserve and maintain, when prudent and feasible, all state-owned historical resources under its jurisdiction listed in or potentially eligible for inclusion in the National Register of Historic Places the California State Register of Historic Resources.” The Department is also obliged to comply with section 106 of the National Historic Preservation Act, as Amended, if the Federal government provides financial assistance to, or issues a permit for a project that may affect properties listed or eligible for listing in the National Register of Historic Places. First, it must consider the impact of the project on historic properties. Second, it must seek the Council’s comments on the project. section 106 originally applied only to properties actually listed in the National Register; however, in 1976, Congress extended its provisions to properties not yet listed, but that still met the criteria. Nowhere in section 106 of the National Historic Preservation Act, California Public Resources Code, §5024, or the Resource Management Directives mandate unfettered public access to a historic property. They were created to ensure that preservation values are factored into state and federal agency planning decisions regarding historic resources.

According to the National Register and the National Historic Trail nomination and cooperative management and use plan, Coyote Canyon is a historic “route,” not a “road” or “highway.” Its historic significance lies as the path taken by the two Anza expeditions of 1774-1775 and 1776. The Spanish explorers either rode horses or mules, or walked alongside their cattle and pack animals. Coyote Canyon is open to the public for non-vehicular access.

The 1996 Cooperative Management and Use Plan for the Juan Bautista de Anza National Historic Trail recommends that State Agencies “manage, protect, and maintain historic trail segments under their jurisdiction.” That means that the California Department of State Parks & Recreation must follow PRC 5014, section 106, and its Resource Management Directives which all state that historic resources “shall be protected against damaging or degrading influences, including deterioration or adverse modification of its environment.” Large numbers of users or uncontrolled public access to this potential historic resource may result in its degradation. Therefore, it may be necessary to reduce the amount of or type of use along this stretch of road for its protection and preservation.

For example, the Federal Bureau of Land Management (BLM) manages approximately twenty-seven miles of the historic Anza Trail route just south of the Park. The route includes the significant historic sites of Pilot Knob, Yuha Well, and the San Sebastian Marsh/San Felipe Creek, which BLM manages as a sensitive natural and cultural area. While BLM plans to mark and interpret the Anza Trail in this area, it rerouted the public’s access along the trail around San Sebastian Marsh to protect its natural and cultural resources.

**From:** AnzaGP Anza-Borrego <ANZAGP@parks.ca.gov>  
**To:** bigmc@ctaz.com <bigmc@ctaz.com>  
**Date:** Friday, March 07, 2003 3:20 PM  
**Subject:** Re: Comments on Anza Borrego Park Plan

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Mr McDonald-

The attachment did not make it through. The deadline for comments was March 3rd. We traditionally accept late comments up to the point when we must send the 'comments and response' off for Department review (looks like March 14). In any case, if you would like to have you comments accepted as public record, they must be mailed or faxed to our office, and we need a signature. Comments are to be sent to Environmental Coordinator at the Southern Service Center of the California Department of Parks and Recreation, 8885 Rio San Diego Drive, Suite 270 San Diego, CA 92108 or faxed to 619.220.5400.

Thanks  
Chris Peregrin

>>> "Family McDonald" <bigmc@ctaz.com> 03/05/03 08:35PM >>>

March 1, 2003

Dear Park Planners,

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The attachments are included as part of my comments on the Anza Borrego Park Plan. Black's law dictionary describes Park as "an inclosed pleasure-ground in or near a city, set apart for the recreation of the public." I submit the majority of the plan falls short of this criteria or the intent of the original 1945 Recreation Trail Legislation. Additionally by law, historic resources are reserved as a living part of today's culture. Therefore those resources must be accessible to the public. This is compatible with responsible conservation and habitat management. Thank you for considering these comments.

Sincerely

  
Cliff McDonald

3/7/03

2128 El Monte  
Needles, CA 92363  
760-326-2935

**#167.** Please see Responses #113 & #114. CSP strives to meet its ***Mission*** through the identification of appropriate goals and guidelines in the General Plan, as well as through existing cultural resource stewardship and management. The goals and guidelines strive to provide recreational opportunities while protecting the abundant natural and cultural resources of the Park. The General Plan proposes 0.42% of the Park as cultural preserve (not 0.004%) and only 0.71% of the Park for the public support facilities (Focused Use Zones I & II) such as campgrounds, information and entrance facilities and visitor centers. Additionally, although there are many recorded sites, not all of the sites would still be intact. Of the 623,800-acre Park, 462,900 acres are proposed for wilderness designation. Existing wilderness accounts for 64.94% of the Park and will be increased by 9.27% under the Preferred Plan to 74.21%. Although vehicles will continue to travel on existing roads and park alongside them, the wilderness designation will provide an additional level of protection by removing the potential for direct vehicular impacts to cultural resources. The backcountry zone (open to primitive car camping and mountain bikes, not allowed in wilderness) comprises 19.86% of the Park. If Alternative 3 were selected, 7.13 % of the Park would be in natural/cultural preserve, an area ten times the size of the land designated for recreational facilities. However, it is the intention of CSP to protect the resources present, maintain the integrity of the cultural preserve classification (based on site data and not a percentage) within these areas, and allow recreational use nearby that will not adversely affect the resource. CSP was not willing to exclude many recreational uses based on large land use designations within these areas. Should additional studies indicate that cultural preserves are needed, the General Plan states such preserves may be designated after GP approval.

**#168.** Please see Response #114. Katherine Siva Saubel, a Cahuilla Elder, and Carmen Lucas, Kwaaymii Elder, both worked with Manfred Knaak during the Resource Inventory phase of the Anza-Borrego Desert State Park® General Plan. Carmen Lucas was contracted to provide a report documenting historical information about her family and the Kwaaymii people, in general. The report from Carmen Lucas included specific information about geographic locations used by the Kwaaymii people that now lie within the Park. Mrs. Saubel provided some family history information to the Resource Inventory team, which included information on aboriginal uses of Coyote Canyon and some Cahuilla place names. Additionally, Native American Heritage Commission was provided the opportunity to comment on the Anza-Borrego Desert State Park® General Plan through the CEQA process with distribution through the State Clearinghouse for both the Notice of Preparation and the Draft Environmental Impact Report.

**#169.** All Native American groups in Imperial County, Riverside County, and San Diego County were sent notices of the General Plan Public Meetings. Carmen Lucas attended a focus-group meeting of environmental groups. Sue Wade, Colorado Desert District Archaeologist, and Michael Sampson, Archaeologist assigned to the General Plan, met with Carmen Lucas on February 17, 2002 specifically to gather her input for the Anza-Borrego Desert State Park® General Plan. Michael Sampson wrote letters in March 2002 to every Native American group (Kumeyaay, Cahuilla, and Cupeño) identified in a list from the California Native American Heritage Commission that might have an interest in Anza-Borrego Desert State Park®. The letters informed each addressee about the Anza-Borrego Desert State Park® General Plan and explained how to obtain information about the General Plan. The letter further noted that a large number of prehistoric archaeological sites and other historic properties are found in Anza-Borrego Desert State Park®. The letter from Michael Sampson requested input and contained an offer to meet directly with General Plan staff. The General Plan has received no replies from Native American groups as a result of the March 2002 letters. In December 2002, Michael Sampson wrote a letter to Carmen Lucas to provide information on the status of the Anza-Borrego Desert State Park® General Plan.



STATE OF CALIFORNIA

Gray Davis, Governor

## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-4082  
(916) 657-5390 - Fax



March 13, 2003

Bob Patterson, Senior Landscape Architect  
Department of Parks and Recreation  
Anza-Borrego Desert State Park General Plan  
8885 Rio San Diego Drive, Suite #270  
San Diego, CA 92108

RE: Anza-Borrego Desert State Park General Plan Draft EIR and Preliminary Plan, San Diego County

Dear Mr. Patterson:

167 We have received a copy of a letter sent to you dated March 3, 2003, from attorney Courtney Ann Coyle on behalf of Ms. Carmen Lucas, a Kwaaymii Indian. Ms. Lucas' ancestors have lived in the Laguna Mountains and the nearby desert since time immemorial. She is also owner of the Kwaaymii homelands, a portion of which is now known as Lucas Ranch, which borders Cuyamaca Rancho State Park. Cuyamaca is adjacent to Anza-Borrego State Park. Ms. Lucas has continuing concerns about the treatment of cultural resources in the above draft EIR, in which she feels their preservation is subordinate to intensive recreational uses. In the draft preferred alternative, only 0.004% of the park's acreage has been proposed as a natural/cultural preserve despite the fact that there are a total of 4,322 recorded historical sites within the park. Even if alternative 3 were selected, the alternative preferred by Ms. Lucas, the area covered by natural/cultural preserve designations would only rise to 0.068%.

168 The NAHC understands that park planners have not accepted Ms. Lucas' offer to sit down with staff, or go on site visits, to indicate areas that would benefit from the cultural preserve designation and to describe the importance of these sites to local Indian culture. Ms. Lucas is also culturally affiliated to the Lucky 5 property, which will be integrated into Anza-Borrego Desert State Park. She has expressed serious concerns about the proposed intensive public use of this parcel.

These concerns bring to question State Park personnel's efforts to consult with Native American's culturally affiliated to what is now Anza-Borrego Desert State Park. This area is within the traditional territories of both Cahuilla and Kumeyaay people. State Park planners should have made a concerted effort to consult with all Native Americans that are culturally affiliated with the Park as part of the planning effort. Mrs. Lucas' efforts lead us to believe that this has not occurred.

169 In 2001, the NAHC was contacted by an associate state archaeologist on Anza-Borrego general plan team for a search of the NAHC Sacred Lands File. A response to this request would also include a Native American Contacts List for the purposes of soliciting comments on Park proposals. The information given was limited to the names of the USGS quadrangles covering the area. This was not sufficient enough to identify which sites on the Sacred Lands File are actually within the Park's boundaries. A subsequent request was made by telephone for the township, range, and sections covering the Park. The requested information was not forwarded. On March 18, 2002, an email message was received from the archaeologist on the planning team, stating "I have never received the results of the inventory search. I recall that additional information was needed by NAHC due to the large size of the park. I thought you received the necessary maps...." A reply was sent, stating: "I still have what you sent originally. You were going to send me the USGS Quad., township, range and section information. If you forward the information I will search the SFL database." No further information was received, leading us to the conclusion that the planning effort must have been put on hold. Based on Mrs. Lucas concerns, that was obviously not the case.

**The incomplete nature of the request for information from the NAHC Sacred Lands File appears to be more of a misunderstanding between the Archaeologist at the Department's Southern Service Center and staff at the Native American Heritage Commission. The vast size of Anza-Borrego Desert State Park® (over 600,000 acres) is unusual, so, the Commission staff person may not have understood that the General Plan team needed information on any known Sacred Sites in all land within the 35 USGS Quadrangles cited in the original request. A request for a Sacred Land File from the Native American Heritage Commission was resubmitted on April 4, 2003.**



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There may be a number of sites within Anza-Borrego State Desert Park on the NAHC Sacred Lands File. The NAHC requests that you complete the effort that you initiated and provide the complete information required to search the NAHC Sacred Lands File for sites that might be impacted by park plans. We also request that you consult and address the concerns of the Native Americans culturally affiliated to the Park. As stated above, a Native American Contacts List will be sent to you for that purposed with the results of the Sacred Lands File Search.

If you have any questions, please contact Rob Wood of my staff at (916) 653-4040.

Sincerely,



Larry Myers  
Executive Secretary

CC: Tal Finney, Acting Director OPR  
Senator John Burton, President Pro Tem  
Senator Denise M. Ducheny  
Mary Nichols, Resources Secretary  
Ruth Coleman, Acting Director DPR  
Knox Mellon, State Historic Preservation Officer  
Katherine Saubel, Tribal Chairwoman, Los Coyotes Indian Reservation  
Anthony Pico, Chairperson, Viejas Band of Mission Indians  
Ben Scerato, Chairperson, Santa Ysabel Band of Mission Indians  
Howard Maxcy, Chairperson, Mesa Grande Band of Mission Indians  
Rebecca Maxcy, Inaja Band of Mission Indians  
Steve Banegas, Spokesman, Kumeyaay Cultural Repatriation Committee  
Ms. Carmen Lucas  
Courtney Ann Coyle, Attorney at Law  
Bill Berry, Deputy Director Park Operations  
Marla Mealey, Associate State Archaeologist  
Mike Sampson, Associate State Archaeologist  
Bruce Cooms, SOHO Executive Director

**#170.** Please see Responses #65, #93 and #100

**#171.** Please see Responses #36, #40, and #155.

**#172.** The General Plan is a program EIR and therefore general in nature. As design detail becomes available with the proposal of specific projects, CSP will conduct additional environmental review under CEQA. Resource inventories, including a Recreation Resources Inventory, were prepared to allow CSP to plan facilities and management zones in the most appropriate areas to serve the public yet protect the resources on site. CSP has qualified recreational, natural, cultural, and interpretive resource specialists on staff that are familiar with many of the resources at the Park.

**#173.** Please see Response #12.

Public Review Comment Letter

Marcy A. Watton  
P.O. Box 816  
Leona Valley, CA 93551  
(661) 270-0333  
HorsingRound@aol.com

March 13, 2003

Environmental Coordinator  
Southern Service Center  
of the California Department of Parks and Recreation  
8885 Rio San Diego Drive, Suite 270  
San Diego, CA 92108

Re: Preliminary General Plan for Anza-Borrego Desert State Park

Dear Madam or Sir:

Following are my comments and questions regarding the Preliminary General Plan for Anza-Borrego Desert State Park.

If forced to choose among the alternatives, Alternative 2 of the Preliminary General Plan is the least objectionable to our equestrian concerns, with the following caveats:

- 170 1. We have concerns over the impact of all the alternatives on the use of the Pacific Crest Trail staging area in the San Felipe area. How would the PCT users be accommodated at this staging area?
- 171 2. Horseback travel has a long (500 year) history in Anza-Borrego. Without scientific support to find negative impacts otherwise, we feel that cross-country travel by equestrians is essential, historic, and has little or no impact on the environment. Have any scientific studies to prove otherwise been conducted in Anza-Borrego?
- 172 3. Regarding "Recreation" in the Anza-Borrego, there is little or no meaningful discussion, nor any scientific studies on recreation, included in the Preliminary General Plan. When, by whom, and how will this assessment be undertaken?

173 Additionally, I understand that the *Coyote Canyon Public Use Plan* or the report titled *Ecological Conditions in Coyote Canyon, Anza-Borrego Desert State Park, An Assessment of the Coyote Canyon Public Use Plan* (2002) are not included in the documentation set forth in the Preliminary General Plan for Anza-Borrego Desert State Park. Are these documents part of the Preliminary General Plan? Will any portion of these documents be used in consideration of the Preliminary General Plan?

#174. Please see Response #13.

#175. Please see Responses #43 and #155.

#176. Please see Responses #43-58 and #70.

Southern Service Center  
of the California Department of Parks and Recreation  
March 13, 2003  
Page 2

174 The Environmental Impact Report fails to elucidate any of the "findings" regarding the impacts of the Preliminary General Plan. Will the full EIR reports, from which the findings were summarized, be available to the public? As it is now in the Preliminary General Plan, the CEQA requirements of public disclosure are not fulfilled.

175 The Goals and Guidelines in section 3 states that land management actions will be based on sound scientific data, yet in the Preliminary General Plan, unsupported assertions are made about horses eroding habitat, spreading exotic vegetation, and waste, yet no documentation supports any of these accusations. In fact, many scientific studies have proven otherwise, and specifically that horses do not spread noxious vegetation, nor viral or bacterial contaminants.

It appears that the alternatives proposed in the Preliminary General Plan have as their goals the reduction of the public's access for recreation within Anza-Borrego, without any specific scientific studies to support such reduction or limitation.

176 By limiting the public's historic use and enjoyment of Anza-Borrego State Park, it would appear that none of the alternatives in the Preliminary General Plan support the Anza-Borrego State Park's purpose as stated in the Preliminary General Plan, ". . .to make available to the people forever, for their inspiration enlightenment, and enjoyment. . ." A comprehensive list of concerns and questions regarding this conflict have been raised in Candace Oathout's February 19, 2003 letter to the California Department of Parks & Recreation. By this reference, Ms. Oathout's letter is hereby incorporated as part of this letter.

I will look forward to your detailed responses to the above-raised concerns, and would hope that it opens the door for meaningful discussion for the future of ongoing equestrian recreation in our beloved Anza-Borrego Desert State Park.

Sincerely,



Marcy A. Watton  
Vice President, Public Lands  
Backcountry Horsemen of California  
Antelope Valley Unit

#177. Please see Responses #54 and #59.

#178. Please see Responses #11 and #69.



Mar 17 03 01:20p

Barbara J. Ferguson

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## BACKCOUNTRY HORSEMEN OF CALIFORNIA

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March 17, 2003

Environmental Coordinator  
C/O Southern Service Center  
California Department of Parks & Recreation  
8885 Rio San Diego Drive, Suite 270  
San Diego, CA 92108

REGARDING: Anza-Borrego Desert State Park General Plan/Draft EIR

Dear Sir or Madam:

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By way of background, the Backcountry Horsemen of California (BCHC) is a state-wide organization of over 4,000 members whose purpose is to improve and promote the use, care and development of California backcountry trails, campsites, streams and meadows and to keep the backcountry trails and forage areas open to horsemen on all public lands. We also have extensive educational programs and literature for our membership and the public on good trail manners and wise use of public lands. Our organization contributes significant labor to trail maintenance and other volunteer efforts on both federal and state public lands on an annual basis.

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It is our view that State Parks has done a disservice to those who wish to comment on this document. The development of the General Plan and the Draft EIR required two years of effort by State Parks, yet the public was to comment in only 45 days. CEQA section 15105 (a) states, "The public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances." (My emphasis added.) This document is very lengthy. Furthermore, the cost of acquiring a printed version was prohibitive for most, those who received the "CD" version were not able to open the document, the maps on the CD version and the web version were inadequate in that only one map (the Preferred Alternative) was in color and all maps were too small, and the web version and the CD version were not printer friendly requiring extensive time, paper and print cartridges to download and print. Given the above, it is clear that there

#179. Please see Responses #40, #43 and #100.

#180. Please see Response #64.

#181. Please see Response #62.

#182. Please see Responses #12, #13, #38, and #44.

Mar 17 03 01:20p

Barbara J. Ferguson

5598552125

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ABDSP General Plan

BCHC Comments

2

3/17/03

178 are unusual circumstances that would justify a longer review period and we reserve our right to comment further on the Plan.

After careful review of all Alternatives, the BCHC offers a "qualified" support of Alternative 2 for the following reasons:

1. In contrast to the Preferred Alternative, the Focused Use Zones (FUZs), which total 5,200 acres, would allow for the development of recreational facilities, including equestrian campgrounds and staging areas, needed to accommodate increased visitation based on the projected population growth.
- 179 2. Currently, 68% of the ABDSP is designated as Wilderness. The Preferred Alternative would increase Wilderness to more than 77%. Significant new Wilderness areas would encapsulate existing State Highways. This is problematic because management of Wilderness presupposes no vehicle traffic. The largest proposed Wilderness addition is along the D'Anza Trail. The D'Anza Trail is an historic route and was the main access to Borrego Springs from Anza and because of this historic route, the area should remain as Backcountry. To designate more Wilderness would restrict the access to the Park by requiring the decommissioning of roads.
3. In contrast to the Preferred Alternative, Alternative 2 would have about 207,000 acres of Backcountry Zone. This Zone provides the visitor with the most freedom, with fewer camping restrictions.

180 As stated above, we are "qualifying" our support for Alternative 2. Below are problems that are common to all the Alternatives. We request that you address the following and amend the General Plan and the Draft EIR.

1. The BCHC supports the rights of equestrians to access all roads, trails and washes and to ride "cross country".
- 181 2. The wild horses found in Coyote Canyon need to be preserved. In the Wild Horses and Burros Protection Act of 1971, Congress declared that "*wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West...*" and "*It is the policy of the Congress that wild free-roaming horses and burros will be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, as an integral part of the natural system of public lands.*" We believe that these wild horses enrich our lives and that they are an integral part of our enjoyment of the ABDSP.
- 182 3. The Summary in Chapter 4 does not fulfill the requirements of CEQA, section 15123. This section requires that each significant effect with proposed mitigation measures and alternatives to reduce or avoid the effect be identified. The Summary identifies only "potential" effects and refers to the Plan for "broad, park-wide environmental effects and mitigation measures."
4. CEQA section 15123 also requires that the lead agency include issues of controversy known to the agency. The Wild Horses addressed in point 2 above, R.

**#183.** Please see Response #44.

**#184.** Please see Response #12.

ABDSP General Plan  
BCHC Comments  
3/17/03

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- 182 S. 2477 addressed in point 6 below, the "retained" rights of use to existing trails and roads addressed in point 7 below, and the Coyote Canyon Public Use Plan addressed in point 8 below are long standing areas of controversy not addressed in the Summary.
5. The environmental analysis in Chapter 4 for Alternative 2 is inadequate. One paragraph which incorporates statements such as, "The number of utility trucks and utility-type facilities within the Park would have the potential to increase significantly." and "Backcountry land-use designation in Coyote Canyon would permit new roads and facilities that may cause an adverse effect on bighorn sheep habitat and wilderness qualities" with out supporting analysis elsewhere in the document is woefully inadequate. Phrases such as "potential to increase" and "may cause an adverse effect" do not satisfy the CEQA requirement that if an alternative "would cause one or more significant effects" then those effects need to be discussed. Table 6.7 states that Alternative 2 has the potential to impact more natural resources and offers the least amount of resource protection. Again, to just make the assertion without any supporting analysis is not satisfactory. CEQA requires that an EIR "shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed. (County of Inyo v. City of Los Angeles (1981) 124 Cal.App.3d 1)." (CEQA Guidelines, [www.ceres.ca.gov/ceqa](http://www.ceres.ca.gov/ceqa)) (My emphasis added.)
- 183 6. The General Plan should include the identification and inventory of all public rights-of-way established pursuant to 43 United States Code section 932 (commonly referred to as R.S. 2477) and an affirmative statement that the Public's access over the R.S. 2477 rights-of-way will not be impeded. This request is made pursuant to the California Court of Appeal, Third Appellate District's decision in *Western Aggregates, Inc. v. County of Yuba* (2002) 101 Cal.App.4th 278, 295, wherein the court noted that "Pre-1976 R.S. 2477 roads are entitled to protection."
7. The Plan does not provide information related the land deeded to the state and the retention of rights to use existing trails and roads by the landowners and the public.
- 184 8. The General Plan/Draft EIR does not include any discussion either in the text or as an appendix of the Coyote Canyon Public Use Plan, the report titled *Ecological Conditions in Coyote Canyon, An Assessment of the Coyote Canyon Public Use Plan* (2002) and the Feasibility Study for Alternative Routes through Coyote Canyon (Dudek, 1999). The absence of this important material denies the

#185. Please see Response #40.

#186. Please see Responses #36 and #64 and #155.

#187. In a park with over 600,000 acres, visitor counts, particularly outside of the Park visitor center and horse camp area are not fully identifiable. This is recognized for all user groups, including equestrians. Recent park management does not charge for entrance to the Park at any of the paved entrances or for camping in unimproved areas. Therefore, data retrieved at the Visitor Center, Borrego Palm Canyon Campground and Horse Camp is the most accurate. The park rangers take visitor counts and develop conversion factors but these are estimates and not comparable to the more accurate counts from smaller parks with entrance stations. CSP would be interested in data you may provide that more accurately reflects equestrian usage at Anza-Borrego Desert State Park.

#188 CSP would like to clarify that the General Plan establishes different management zones, not units. Units refer to separate State Park landholdings and include State Parks, State Beaches, State Historic Parks, and State Reserves. In Section 3.2.4, under the headings “Social Experience” for each management zone, a description of visitor density is proposed to address carrying capacity. Because of the programmatic nature of the General Plan, specific carrying capacity numbers cannot be reasonably generated. Carrying capacity issues will be addressed for future site specific proposals and management plans based on the desired future conditions (both socially and environmentally) set forth by the General Plan.

Developing carrying capacity based on numbers of visitors is extremely difficult because human behavior is unpredictable and can be very destructive or low impact based on individual choice. The University of Montana Visitor Study sought to understand and measure the desires of the public as to what conditions they would want park management to establish. The study identified the types of recreational uses and the intensity of those uses desired. The results of the study were utilized to develop the goals and guidelines in the General Plan.

#189. We agree that it is important to inventory and monitor existing uses and conditions and CSP strives to do this at every opportunity, (Please see Section 2.4.2, final paragraph). Please see Response #36.

#190. Please see Responses #65 and #93.



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- 184 reviewers of significant information and diminishes the reviewers ability evaluate the Plan.
- 185 9. The Plan states that the California State Parks (CSP) will "identify situations where State and Federal environmental legislation is not adequate to protect native biota and will be proactive, when "the legislative process appears too slow, driven by economic or political interests..." and "California State Parks will treat as a listed species those that meet the criteria for listing, but are not, due to economic or political reasons." (See Pages 3-21 & 22) We question legal authority of CSP have to step out side of the establish regulations and to act independently of directives from responsible agencies regarding threatened or endangered species.
- 186 10. There is no data or resource information given in the Plan to support the restriction of horses to roads and trails. To assert that "equestrian" traffic may erode habitat (see Page 2-43) is not a reflection of an existing condition. As such, assertions should not be used to support the restriction of an activity. The Goals and Guidelines in section 3.3 states that "*Land management actions will be based on sound scientific data...*" The statement "*Equestrian trails, staging areas, horse waste, and the associated spread of exotic vegetation are major issues involving montane habitats...*" is not quantified with any data. We request the data that supports your assertion that horse waste spreads exotic vegetation.
- 187 11. The purpose of Chapter 2 is to examine the existing conditions. There is very spotty information about equestrian uses in the Park. It appears that equestrian use is a very small portion of the visitor use in the Park. The only number given for equestrian visitors is on page 2-92 which cites 3,000 visitors (less than 1% of the total annual visitors) to the "horse camp".
- 188 12. The discussion of "Carrying Capacity" on page 3-36 skirts the requirements of PRC Section 5001.96 which states "Attendance at state park system units shall be held within limits established by carrying capacity determined in accordance with Section 5019.5." The General Plan establishes different "units" such as Backcountry, Wilderness and FUZ's. To defer the establishment of the appropriate number of visitors to an area as "visitor-use projects" are conceived is getting the cart before the horse.
- 189 13. The Existing Conditions Chapter, page 2-36, states, "*Highway-legal vehicles, equestrians, mountain bikes, hikers and campers are common in many washes.*" And, "*The long - term effect of this recreation on soil stability, vegetation, and wildlife communities is largely unknown.*" It further states, "*The desert washes and adjacent terraces are dynamic environments shaped by the scour of flood and wind.*" The existing use and the existing resource conditions need to be determined now and used as a base line to measure future changes recognizing, as the Plan states, that uses and resources are not static but constantly changing.
- 190 14. The designation of the San Felipe area as "Cultural Preserve" will severely impact the long established use of the area for the PCT staging area. Overnight camping is long established for those who drop off or pick up PCT users.

#191. Please see Responses #25, #33, #37, #92, and #148. CSP agrees that site-specific resource protection can be implemented without a General Plan and through existing park management and stewardship. However, there is an acknowledged visitor need for new facilities as addressed in Section 2.3.7 of the General Plan. The General Plan must provide direction through goals and guidelines for park management to reduce or eliminate visitor conflicts and to reduce or eliminated potentially significant environmental impacts. Please also refer to Section 1.2, the Purpose of the General Plan.

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Barbara J. Ferguson

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15. It is appropriate to conduct Visitor Survey's as in Appendix 5.4 but the value of these surveys is only for an assessment of "visitor experience." The visitation numbers cited in the Plan clearly indicates that vast areas of the ABDSP experience very low levels of visitor use. Most of the visitor use is concentrated in very few areas and for very short periods of time. This is another reason to support a very simplified, streamlined General Plan that addresses site-specific areas of concern, while monitoring the use levels and resource conditions in lower use areas.
16. The General Plan Draft EIR is a "programmatic" level planning document and as such should be general in nature and provide the basic backdrop for site-specific plans. This plan is an example of a bureaucracy run amuck. There are too many levels, too much emphasis on "preservation" issues applied Park wide that can be best addresses on a site-specific basis. All of the future (seven) additional plans seem to be directed toward determining what other limitations will be put on recreational users of the Park.
17. Alternative 3 was determined to be the most "environmentally superior" but was not chosen as the Preferred Alternative as it would significantly affect existing recreational activities and "*is not within the general public's level of acceptable change.*" ( See Page 4-8) Then State Parks maintains that sensitive resources can be adequately protected through the site-specific management defined in the Preferred Alternate and furthermore that the subsequent planning efforts may result in the establishment of additional preserves. In other words, the public's level of acceptance of recreational restrictions will be incrementally changed. This is an inappropriate way to eventually reduce the recreational use of the Park.
18. Table 6-7 indicates that "potentially significant" impacts can only be avoided, minimized and/or mitigated to a level below significance in the Preferred Alternative or Alternative 3. This is simply not true. All alternatives, even the no project alternative, allow for site-specific resource protection.

We urge the Park planners to simplify the plan, protect the recreational uses and users and to emphasize site-specific resource protection where needed based on sound data collection and sound science.

Sincerely,



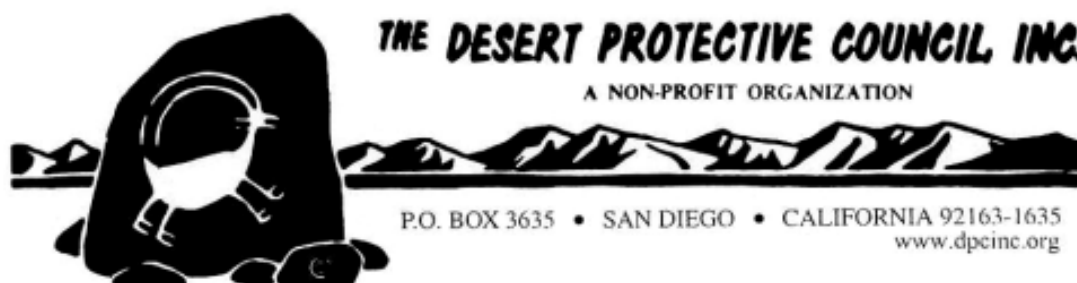
Barbara J. Ferguson  
Vice President, Public Lands

Cc: Senator William Morrow

#192. Thank you for your support of the Preferred Alternative in the Preliminary General Plan/Draft EIR.

#193. This is an excellent idea and will be initiated through the Park information centers and park interpretation programs. Please also see Responses #54 and #91.

#194. Please see Response #51. State Parks intends to work as a partner with the local community and interested agencies to assist in developing long and short term solutions to the water issues within and adjacent to the Park. State Parks has a planner on staff to address these needs and she has been involved with the Borrego Valley Management Plan.



DESERT PROTECTIVE COUNCIL  
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RE: Anza Borrego Desert State Park General Plan

The ABDSP General Plan is an opportunity for the public to understand the goals and guidelines that will direct Anza Borrego Desert State Park development and management efforts. The Desert Protective Council (DPC), founded in 1954 to protect the southwestern desert environment, supports the ABDSP General Plan Preferred Alternative. This alternative appears most capable of protecting the natural, cultural, scenic, and ecological resources of the park while providing a wide variety of recreational experiences for park visitors.

Although land management actions will be based on sound scientific data (3.3.1.1.), the absence of appropriate data for many park areas indicates that management decisions should be directed to conservation until adequate resource information becomes available. For example, guidelines to protect the geological resources (3.3.1.2.) emphasize the goal to eliminate illegal vehicular traffic in badlands areas, a known sensitive area; we would support more widespread efforts to eliminate illegal vehicular traffic throughout the park. We have noticed recently that off-road vehicles are now intruding into areas around the Calcite Mine, probably because there is more active off-road activity adjacent to this area. One way to reduce illegal uses is to provide educational materials near unusual features, perhaps in the form of signage or pamphlets indicating the reasons for the needed protection.

On page 3-19, the plan discusses the local hydrology and the need to protect the available water sources. Currently the Borrego Valley is experiencing a severe overdraft of its sole source aquifer. Loss of the use of this aquifer would severely impact the resources of ABDSP as well as those of the town of Borrego Springs, which provides amenities for Park visitors. The State Park system should become involved in helping to solve the problem of this overdraft since the Park is not an isolated entity but is part of a larger community. An example of the way that the Park could become involved in community problems is the excellent response shown by the Park to the Pines Fire of 2002. Because of the extreme urgency of the situation, there was no question that park personnel and equipment would be needed to control the fire. It is our opinion that, although the timetable is expanded, the urgency of the water supply situation is equally extreme. Park

*To safeguard for wise and reverent use by this and succeeding generations those desert areas of unique scenic, scientific, historical, spiritual and recreational value, and, to educate children and adults to a better understanding of the deserts.*

#195. Thank you for your support.

#196. Please see Response #54. The wording under Fire Management Guideline or Page 3-25 will be changed to "... originating within and adjacent to the Park."

#197. Thank you for the support.

#198. Thank you for the support.

#199. Please see Response #51, #193 and #194.



194 support for a solution to the overdraft problem would be a strong voice for a swift and viable solution. Aside from working with the community to find a solution, the Park itself should plan no projects that use excess water and should make every effort to conserve water uses throughout the Park.

195 The aggressive approach of Park planning to protect Significant and Sensitive Biota, page 3-21, is excellent. Park scientists are acutely aware of the ecological systems that they work with on a daily basis. They need to have the ability to make decisions to protect those systems when they detect problems. Early efforts at protection of sensitive species are most productive and we strongly support this approach.

196 On page 3-23 the Park proposes plans to work with the local community to encourage the use of native or non-invasive horticultural plant species in the vicinity of the Park. Such a plan could be incorporated into a plan to encourage water conservation throughout the Borrego Valley by the use of xeric non-invasive and native plants. Following this on page 3-25 is a proposal to educate visitors and residents in ways "to minimize the risk of wildfires originating within the Park." We suggest the addition here of the phrase "and to minimize the risk of wildfires spreading into the Park" with the addition of education of local residents in ways that they can protect the Park by safe uses of fire in and around their homes.

197 Landscape Linkages, page 3-25, are well known as essential for ecological conservation. The goal of the Park to work with local jurisdictions and agencies to preserve linkages important for dispersal of native animals, plants, and soils is critical for the long term viability of the Park. We strongly support this goal and hope to see it implemented at every possible opportunity. If the buffer system along the outer edges of the Park boundaries is seen as a wildlife area with trails and camping sites it could provide areas for heavier visitation during wildflower season, and reduce water consumption of those areas that are now in agriculture.

198 The Goal to Protect, Stabilize, and Preserve Cultural Resources within ABDSP, page 3-28, provides a number of guidelines, as does the following Goal to protect archaeological and historic period resources, page 3-30. However, the widespread occurrence of such artifacts should be the impetus for educating visitors to the correct procedures they should use if they do find such an artifact. Such information would encourage visitors to become knowledgeable about former users of the area and help them to join in the conservation efforts.

199 On page 3-41, Section 3.3.1.10, the acquisition of lands to enhance the Park goals and reduce negative land use effects is encouraged. We would like to add to that goal the stated purpose of acquiring lands that because of their heavy water use are causing an overdraft of the aquifer, mainly agricultural lands. Much of this land is adjacent to the Park and could be used in the buffer areas proposed for the Park. Removal of these lands from agricultural uses would help to preserve the riparian areas upon which most of the sensitive and endangered species of the Park are dependent as well as the town of

#200. Thank you for your enthusiastic support.

199 Borrego Springs, which provides tourist amenities for Park visitors and homes for Park employees and volunteers.

200 The General Plan as presented in the Preferred Alternative provides a balanced approach to the problems of preserving cultural, scenic, and ecological resources while providing a variety of recreational opportunities for visitors from all over the world. We enthusiastically support this Plan.

Sincerely,

  
Janet A. Anderson, President